

Minutes of the Veneta City Council

December 14, 2009

Present: Mayor Sharon Hobart-Hardin, Darrell Carman, T. J. Brooker, and Sandra Larson

Absent: Marion Esty

Others: Ric Ingham, City Administrator; Brian Issa, Community Services Director; Jerri Moore, Finance Director; Sheryl Hackett, City Recorder; Kyle Schauer, Public Works Superintendent; Zac Moody, Assistant Planner; Darci Henneman, Assistant City Recorder; Jerry Elliott, City Engineer; Dale Dietzel, Linda Boothe, and Ephraim Payne, West Lane News

1. PUBLIC COMMENT

Dale Dietzel, P.O. Box 234, Gates, OR

Mr. Dietzel wanted the Council to review the engineering costs he has invested for the subdivision he is working on. If his extension is not granted he will lose the money he's already paid. He provided his file but did not make copies for the Council.

Staff advised Mr. Dietzel the Council will be considering a staff recommendation on extensions later in the meeting.

Linda Boothe, 25127 Hunter Rd., Veneta, OR

Ms. Boothe applied the new code amendments to building plans for a new home. She appreciated the design criteria but said it was difficult to apply all six standards to a 1200 sq. ft. home. She said the same six standards also apply to a 3,000 sq. ft. home. She suggested the standards be applied based on the size of the home, i.e., less than six standards should apply to a smaller home and increase with the size of the home.

2. CONSENT AGENDA

MOTION: T. J. Brooker made a motion to approve the consent agenda as presented. Sandra Larson seconded the motion.

Vote: Darrell Carman, aye; Mayor Hobart-Hardin, aye; Sandra Larson, aye; and T. J. Brooker, aye.

The consent agenda as approved included Minutes for November 23, 2009, Bills paid and payable for November, 2009, the Public Works Activity Report for November, 2009, and the Civic Calendar for January, 2010.

3. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

(1) Kaleidoscope request of use of Community Center

Staff received a request letter from Luanne Krueger of Kaleidoscope asking if the Council would waive the Community Center rental fee in order for Ms. Krueger to hold twice weekly rehearsals for the upcoming play "Aladdin and His Wonderful Magical Lamp" beginning in early January through March.

In response to a question from T. J. Brooker, staff indicated she had not provided a schedule yet but in the past she has worked around the ongoing scheduled reservations.

MOTION: T. J. Brooker made a motion to allow Kaleidoscope to use the Community Center for twice weekly rehearsals at no cost. Sandra Larson seconded the motion which passed with a vote of 4-0.

b. COUNCIL/COMMITTEE LIAISONS

Darrell Carman attended the LCOG meeting last week. He said the ongoing planning that started in September has congealed into five topics; public safety, community, infrastructure, human services, and economic development. LCOG staff recommended they concentrate their efforts on communication and government and human services. LCOG has been getting a lot of pressure to lobby state legislators for future economic development because without that it's hard to accomplish any of the other goals mentioned.

Mayor Hobart-Hardin attended a Ford Family Leadership luncheon where the group presented their proposed project of rebuilding the concession stand at the Territorial Sports Complex. The project is moving forward and she was impressed with what they had accomplished and learned in the last few months.

Sandra Larson said the Pool Committee continues to raise funds. The \$100 bricks are selling at a good pace. The Blog that Brian created on the City's website is a great success and provides excellent publicity for the pool construction. The West Lane News has also had several articles on the pool construction.

4. STAFF REPORTS

a. COMMUNITY SERVICES DIRECTOR.....BRIAN ISSA

(1) Tree City USA

Kyle Roberts, the City's R.A.R.E. intern made a presentation to the Council on the Arbor Day Foundation's Tree City USA program. Staff suggested the City submit an application with the goal of becoming a member of Tree City USA and earning Tree City status. The program is sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters. The program provides technical assistance, public attention and national recognition for urban and community forestry programs in cities across the nation. There are currently 51 cities in Oregon that have earned Tree City status, 15 of which have populations fewer than 5,000 people.

The four standards required to become a Tree City are 1) the City must have a tree board or department 2) a tree care ordinance; 3) a community forestry program with an annual budget of at least \$2 per capita; and 4) an Arbor Day observance and proclamation. Currently, the City meets all four standards. The Veneta Park Board will act as the tree board, providing guidance on tree related issues, and the City currently has a tree ordinance. The community forestry program with an annual budget of at least \$ \$9,950, (\$2 per capita multiplied by the City's population of 4,975) can be met with the current budget of \$27,300. Upon approval, the City will plan to hold an Arbor Day observance and proclamation in April, most likely as part of our annual Earth Day celebration. Staff is requesting the Council authorize staff to submit the Tree City USA application.

In response to a question from Mayor Hobart-Hardin, Brian said staff has not informed the Park Board of the intent of becoming a Tree City with the Arbor Foundation.

Ric said it would be difficult to acknowledge both Arbor Day and Earth Day in the same month. Many communities observe Arbor Day but not on the same date. Oregon set its own day and cities were setting their on date in and around those two days.

In response to a question from Darrell Carman, Brian said the City could observe Arbor Day but not necessarily on Arbor Day. Brian suggested combining the two events.

MOTION: T. J. Brooker made a motion to direct staff to submit the Tree City USA application to the Arbor Day Foundation. Sandra Larson seconded the motion which passed with a vote of 4-0.

(2) Acceptance of Utility Easements – 24781 Dunham Loop

In May, 2009 the City adopted a new Wastewater System Master Plan with recommendations on capital improvements. A hydraulic model was developed to predict the collection system performance. Five collection system alternatives were discussed and Alternative I was chosen. Full implementation of the project may be years away but a specific route for the pressurized transmission of sewer flow has yet to be determined. City staff researched several different options including using Dunham Avenue. As part of the conditions of approval for a 3 lot partition, the Planning Commission approved the partition to include a 14 ft. utility easement for possible future installation of a pressurized sewer line. The easement follows the centerline of Dunham Avenue through parcel 1 and parcel 3. Staff is requesting the Council approve the dedication of a utility easement to the City.

MOTION: T. J. Brooker made a motion to accept the Utility Easement through Tax Lot 400. Darrell Carman seconded the motion which passed with a vote of 4-0.

(3) Highway Commercial Options & Rental-Storage Uses

Previously some proposed code revisions affected the Highway Commercial (HC) zoning. The owner of Fern Ridge Self Storage voiced his concerns about how the proposed zoning changes would adversely affect his property. The Council requested staff to provide options to address this zoning issue.

Tonight Brian provided the Council with four options addressing the HCI zoning issue. Option 1 – Keep the rental storage uses as a permitted use in the zone; Option 2 – Move storage units to a conditional use and increase landscaping standards for storage units along the commercial corridor; Option 3 – Remove storage units as a permitted use in the HC zone; and Option 4 – Keep rental storage uses as allowed in the zone through conditional use and apply commercial design standards.

Staff recommended not implementing any changes to the commercial corridor at this time (Option 1).

Mayor Hobart-Hardin recalled from the last discussion that the Council was concerned Mr. Vloedman has purchased the adjacent property to his business in order to expand and with the new zone change he would not be able to do that. The Council wanted to work with Mr. Vloedman to resolve this in the best way possible and she thanked Brian for providing the Council with the four options. She suggested option 1 which requires no changes at this time and suggested staff incorporates the zoning issue into a future work plan as part of the corridor study.

In response to a question from Sandra Larson, Brian said the Planning Commission has not deliberated on this zoning issue.

T. J. Brooker and Darrell Carman agreed with staff's recommendation to leave the code as is, but said additional information needs to be included in the work plan and to explore future possibilities.

MOTION: T. J. Brooker made a motion to accept staff's recommendation to make no zoning changes to the commercial corridor at this time. Darrell Carman seconded the motion which passed with a vote of 4-0.

Ric asked the Council if they could move out of the agenda order so the Council could say good bye to Deputy Scott Denham. Deputy Denham has been working graveyard shift in Veneta for four years and his new assignment will be a day shift position. Deputy Brian Smith will be his replacement. Deputy Smith has been on the traffic safety team for eight years.

Deputy Denham told the Council his main goal was to learn community policing and make positive changes. When he started here there were only three deputies which made it difficult to make a difference. Within six to eight months a large portion of crime dissolved once a fourth deputy was added to the area. They have successfully sent well over 20 plus persons to prison for significant sentences. Christina Doolittle, of Lane County Parole and Probation works with the deputies to do house checks and those they check on are not committing crimes and have been following Christina's program. Deputy Denham felt Veneta is one of the safest places to live in the county right now because of the police coverage. He said the new park ordinance was instrumental in turning the parks back into their intended purposes and the drug trafficking has significantly decreased in the city parks. Deputy Denham said he would have liked to work more with the schools.

Mayor Hobart-Hardin thanked Deputy Denham for his commitment to our community and wished him well in his new position.

Ric said the City will host a going away party for Sgt. Harrold and Deputy Denham on Tuesday, December 29, at 4:00 at City Hall.

- (4) Options for Extension of Land Use Approvals
Brian said previously the Council requested more clarification on the options available for offering a three year extension for current approved land use applications, partitions and subdivisions (also applies to Mr. Dietzel). Brian said the Council requested a current list of all the current and recently expired applications. Developers for the Hunters Draw, Carson's Turn and Madison Avenue subdivisions did not request an extension and they have all expired. Mr. Dietzel, requested his extension but he has already used his two one year extensions. Extension language would be included in future code updates.

Staff is requesting the Council direct staff to draft ordinance language for the three year extension from the current expiration date of the land use applications, partitions, or subdivisions that are currently active or for which an extension has been requested.

MOTION: T. J. Brooker made a motion to direct staff to draft an ordinance that would allow land use applications, partitions and subdivisions a one time three year extension from the date of their current expiration. Darrell Carman seconded the motion which passed with a vote of 4-0.

b. CITY RECORDER.....SHERYL HACKETT

- (1) **Ordinance 492** AN ORDINANCE AMENDING ORDINANCE 367; ESTABLISHING AN ADMINISTRATIVE PENALTY AND PROCEDURES PER SENATE BILL 915; AND DECLARING AN EMERGENCY. First reading by title only. Second reading by title only and for final enactment.

Ordinance 492 is mandated by Senate Bill 915 which will amend the Veneta Building Codes effective January 1, 2010. In addition to amending the penalty section, new language was included which would require notice of correction before a civil penalty would be assessed. Specific language was added including an appeal process. Senate Bill 915 also allows the City to adopt appeal fees to be paid if an appeal is requested.

This would be adopted by a separate resolution. Upon approval for first and second reading by emergency, Ordinance 492 will become effective by the state mandated date of January 1, 2010.

MOTION: T. J. Brooker made a motion to approve Ordinance 492 for first reading by title only. Sandra Larson seconded the motion which passed with a vote of 4-0.

Ordinance 492 was read into the record for first reading by title only.

MOTION: T. J. Brooker made a motion to approve Ordinance 492 for second reading by title only and for final enactment. Sandra Larson seconded the motion which passed with a vote of 4-0.

Ordinance 492 was read into the record for second reading and final enactment.

c. CITY ENGINEER.....JERRY ELLIOTT

(1) C1 and C2 Territorial Road Sewer Project Recommendation

The City Council approved and budgeted for the design of C1 and C2 for the Wastewater System Master Plan and Capital Improvement Plan in early 2009. These projects correct the collection system issues associated with sewer lines in Territorial Rd. Staff directed Weber Elliott Engineers act as the technical liaison and they solicited eight Requests for Proposals (RFP) ranging from \$27,000 to \$127,000. Four proposals were mid-range. Kyle and Jerry reviewed the bids and checked references and recommend awarding the contract to Century West Engineering Corp. with a project cost of \$64,816 to include a 5% leeway and splitting the construction portion of the contract into two sets of construction documents.

In response to a question from Mayor Hobart-Hardin, Jerry said one criteria of awarding the contract was to keep it local. However, the four highest bidding contractors had no presence in Lane County and made no effort to use local labor or sub contractors.

Ric said it really had no bearing because Century West gave the lowest qualified bid.

MOTION: Darrell Carman made a motion to direct Jerry Elliott, City Engineer to prepare a contract with Century West Engineering Corporation and award such contract to Century West Engineering Corporation for design services for Wastewater Capital Improvement Projects C1 and C2 at a not to exceed amount of \$69,000. T. J. Brooker seconded the motion which passed with a vote of 4-0.

Ric said staff is pushing Jerry to get the design and bids released by April/May or May/June and try to capture the better bidding climate for both contracts. It would make sense, cost wise, to complete both projects on Territorial Rd. at the same time.

d. CITY ADMINISTRATOR.....RIC INGHAM

(1) Neighborhood Economic Development Corporation (NEDCO) Community Development Block Grant (CDBG) Funds Disbursement Authorization

The Oregon Housing and Community Services has worked through the NEDCO grant process and provided the Agreement and final documents. The next official step in order for the grant funds to be disbursed, the Council needs to designate Ric Ingham as the City's certifying officer and direct Mayor Hobart-Hardin to sign the Agreement. The original grant was to fund the program for two years at \$48,000 per year. Currently the

program will be for one year.

MOTION: T. J. Brooker made a motion to accept the Community Development Block Grant on behalf of the Neighborhood Economic Development Corporation, designate City Administrator Ric Ingham as the certifying officer, and authorize Mayor Sharon Hobart-Hardin to sign the grant agreement and other documents requiring the signature of the highest elected official of the City. Sandra Larson seconded the motion which passed with a vote of 4-0.

6. OTHER

On November 23, 2009 the Council made a motion to postpone the E. Bolton Rd. LID for one year. However, the ordinance requires the Council to take specific action within 60 days from November 23, 2009 to either order the LID to be initiated or to abandon the project. If they proceed with the LID the Council has the discretion to postpone putting it out for bid. Ric said the decision needs to be made at the January 11, 2010 meeting.

Staff is suggesting the Council proceed with the LID and direct City Engineer Jerry Elliott to complete the engineering report now and then "shelf" the project until an economic trigger occurs or stimulus funds are available. If the project is abandoned we will be required to start all over again for the third time. It's important that we not abandon the project and more importantly that we direct Jerry Elliott to get the project to the bidding phase. Initiating the bidding phase will allow the Council to continue the project at their discretion and allow the City to advertise construction of the project for a future date but does not commit the City to award the contract. The project can be abandoned at any time or the Council could call for a special hearing and make a decision. We have many options to proceed without completely abandoning the project and starting over from scratch.

In response to a question from Darrell Carman, Sheryl said the City can abandon the project at any phase prior to awarding the construction contract. Even if we initiate construction, it can still be abandoned but we would not be able to place liens on the property for the LID assessments.

In response to a question from Mayor Hobart-Hardin, Sheryl said the motion could include specific language that if certain economic conditions were met and after one year, staff would release the project for bidding.

In response to a question from Darrell Carman, Jerry Elliott said the LID project was based on current cost criteria and the current economic climate. The survey has already been ordered and is only valid for one year.

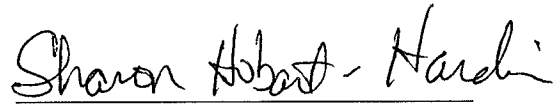
After much discussion, it was the consensus of the Council to take action at their January 11, 2010 Council meeting.

In response to a question from Mayor Hobart-Hardin, Ric said Kristi Till contacted Brian and asked when City staff was planning on convening the neighborhood task force. Staff is concerned some East Bolton residents are confused in that the Council did not direct staff to create a task force with East Bolton residents but we will continue to keep the dialogue going. Staff has intended to get neighborhood feedback to provide to the Council and has also spent time researching other finance packages to secure a loan to possibly capture all the financing costs and/or provide other financing options such as providing a second year of interest free financing. Financing options will not be decided until the fall of 2010.


work and dedication to the City.

7. **ADJOURN**

Mayor Hobart-Hardin adjourned the City Council at 8:15 p.m.


Sharon Hobart-Hardin, Mayor

ATTEST:


Darci Henneman, Assistant City Recorder
(minutes prepared by Dhenneman)